

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई. दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)
प्राधिकार से प्रकाशित

क्रमांक 179]

रायपुर, शुक्रवार, दिनांक 26 अप्रैल 2024 — वैशाख 6, शक 1946

LAW & LEGISLATIVE AFFAIRS DEPARTMENT
Mahanadi Bhawan, Mantralaya, Nava Raipur Atal Nagar

Atal Nagar, the 30th November 2023

NOTIFICATION

No. 198/3474/21-ब/छ.ग. / 2024.— In exercise of the powers conferred by Article 227 of the Constitution of India and Section 477 of the Code of Criminal Procedure, 1973 (No. 2 of 1974), the High Court of Chhattisgarh, with approval of the Governor of Chhattisgarh, hereby, makes the following further amendment in the Chhattisgarh Rules and Orders (Criminal), namely:-

AMENDMENT

In the said rules,-

1. After rule 87, the following rule shall be inserted, namely:-

“87A. GUIDELINES REGARDING RECORDING STATEMENT OF RAPE VICTIM.-

- (1) Upon receipt of information relating to the commission of offence of rape, the Investigating Officer shall make

immediate steps to take the victim to any Metropolitan/ preferably Judicial Magistrate for the purpose of recording her statement under Section 164 of the Cr.P.C. A copy of the statement under Section 164 of the Cr.P.C. should be handed over to the Investigating Officer immediately with a specific direction that the contents of such statement under Section 164 of the Cr.P.C. should not be disclosed to any person till charge sheet / report under Section 173 of the Cr.P.C. is filed.

- (2) The Investigating Officer shall, as far as possible, take the victim to the nearest Lady Metropolitan/ preferably Lady Judicial Magistrate.
- (3) The Investigating Officer shall record specifically the date and the time at which he learnt about the commission of the offence of rape and the date and time at which he took the victim to the Metropolitan/preferably Lady Judicial Magistrate as aforesaid.
- (4) If there is any delay exceeding 24 hours in taking the victim to the Magistrate, the Investigating Officer should record the reasons for the same in the case

diary and hand over a copy of the same to the Magistrate.

(5) Medical Examination of the victim:-

Section 164A Cr.P.C. inserted by Act 25 of 2005 in the Cr.P.C. imposes an obligation on the part of Investigating Officer to get the victim of the rape immediately medically examined. A copy of the report of such medical examination should be immediately handed over to the Magistrate who records the statement of the victim under Section 164 of the Cr.P.C.”

2. After clause (d) of rule 641, the following shall be added, namely:-

"(e) No person is entitled to receive a copy of statement recorded under Section 164 of the Cr.P.C. of the rape victim till the appropriate orders are passed by the court after the charge sheet is filed."

Sd/-

(Shahabuddin Qureshi)
Additional Secretary.